

Remarks

Applicant has carefully reviewed the application in light of the April 9, 2007 Office Action. To further prosecution, Applicant has amended claims 2, 17-18, 20-21, and 33 to clarify the subject captured thereby. Applicant has also added claims 87-89 to explicitly capture the subject matter recited therein. For at least the reasons provided below, Applicant submits that the currently pending claims are distinguishable over the cited patents. Applicant therefore respectfully requests favorable action for this case.

Section 102 Rejections

The Examiner rejects claims 1, 6-21, 25-33, and 36-43 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,661,340 issued to Saylor et al. ("Saylor"). Detailed Action ¶ 2. Applicant respectfully disagrees.

Saylor teaches a personal security network in which an individual's system of security devices is connected to a central security network that monitors the system's status and alerts the individual when an alert situation occurs. Abstract; Fig. 2. In particular, a user may have security devices for their real property (e.g., house), personal property (e.g., boat), or relatives (e.g., elderly grandparent). col. 8, ll. 44-65. For a house, an individual may have window and door contacts, smoke detectors, motion sensors, etc. For a boat, an individual may have a flood sensor. For a relative, an individual may have a panic transmitter. Id. The individual may assign various alarm situations (e.g., fire or intrusion) and notification functions (e.g., cell phone call) for each device. col. 9, ll. 5-40.

To anticipate a claim under § 102, a reference must teach each and every limitation of the claim. M.P.E.P. § 2131. Furthermore, the elements in the reference must be arranged as the limitations in the claim. Id. Saylor, however, fails to teach all of the limitations in any of claims 1, 6-21, 25-33, and 36-43. Thus, Saylor fails to anticipate these claims.

Claim 1 is an independent claim containing limitations not taught by Saylor. Claim 1 recites:

A document management system, the system comprising:
a physical-document monitoring device comprising:
a document coupling device,
a sensor coupled to the document coupling device, the
sensor operable to sense a state of a document and to generate a signal
representative thereof, and
a computer coupled to sensor, the computer operable to
determine a document state based on the signal.

Nowhere, however, does Saylor teach “a physical-document monitoring device” including “a document coupling device” and “a sensor coupled to the document coupling device.” Saylor does not even mention physical documents, much less a physical-document monitoring device including a document coupling device. col. 8, ll. 44-65. Indeed, Saylor’s failure to mention physical documents all but guarantees its failure to even suggest a physical-document coupling device. Applicant notes the Examiner’s assertion to the contrary regarding this limitation, Detailed Action ¶ 2, but as noted above, the portion of Saylor on which the Examiner relies teaches nothing regarding physical documents or a physical-document monitoring device including a document coupling device. col. 8, l. 35 – col. 9, l. 15.

Saylor’s failure to even mention physical documents also predestines its failure to even suggest a sensor coupled to a document coupling device. Applicant again notes the Examiner’s assertion to the contrary, Detailed Action ¶ 2, but the portions of Saylor on which the Examiner relies only teach that security devices may be equipped with a transmitter to provide alerts to a control panel, col. 5, ll. 16-30, and that security devices may be grouped together in zones, col. 11, l. 40 – col. 12, l. 25. Accordingly, these citations teach nothing relevant regarding a sensor coupled to a document coupling device.

For at least these reasons, Applicant submits that claim 1 contains limitations not taught by Saylor. Applicant therefore requests the Examiner to withdraw the § 102 rejection of this claim.

Claims 6-19 depend from claim 1 and, hence, contain all of its limitations, which have already been shown to distinguish over Saylor. Claims 6-19 also contain additional limitations that distinguish over Saylor.

Claim 10, for example, specifies that data received by the monitoring device “comprises state data for a non-physical version of a document.” Nowhere, however, does Saylor teach a non-physical version of a document, much less receiving data regarding such a version of a document. Applicant notes the Examiner’s assertions to the contrary, Detailed Action ¶ 2, but the portion of Saylor on which the Examiner relies only teaches an alarm transmission system for a home environment. col. 5, l. 50 – col. 6, l. 3; Fig. 2. This citation therefore teaches nothing regarding a non-physical version of a document.

As another example, claim 14 specifies that data received by the monitoring device “comprises an allowable document state.” Nowhere, however, does Saylor mention a monitoring device that receives allowable document states. Applicant notes the Examiner’s assertion to the contrary, Detailed Action ¶ 2, but the portions of Saylor upon which the Examiner relies only teach that security devices may be equipped with a transmitter to provide alerts to a control panel, col. 5, ll. 16-30, and that security devices may be grouped together in zones, col. 11, l. 40 – col. 12, l. 25. These fail to teach anything regarding a monitoring device receiving data regarding an allowable document state.

As a further example, claim 17, as amended, specifies that the monitoring device “further comprises a display device operable to provide a visual indication of physical document status.” Saylor does not even come close to suggesting such a monitoring device. Applicant notes the Examiner’s assertion to the contrary, Detailed Action ¶ 2, but the portions of Saylor upon which the Examiner relies contain no teachings regarding such a monitoring device, Figs. 2-8.

For at least these reasons, and for those given with respect to claim 1, Applicant submits that claims 6-19 are distinguishable over Saylor. Applicant therefore respectfully requests the Examiner to withdraw the § 102 rejection of these claims.

Claim 20 is an independent claim containing limitations analogous to those of claim 1. For at least the reasons given with respect to that claim therefore, Applicant submits that claim 20 also possesses distinguishing limitations over Saylor.

Claims 21 and 25-32 depend from claim 20 and, hence, contain all of its limitations, which have already been shown to distinguish over Saylor. Claims 21 and 25-32 also contain additional limitations not taught by Saylor. For example, claim 21, as amended, recites “coupling the physical-document monitoring device to the document.” But as discussed with respect to claim 1, Saylor does not even remotely suggest such a device. As another example, claim 28 recites “receiving state data for a non-physical version of a document.” But as discussed with respect to claim 10, nowhere does Saylor teach a non-physical version of a document, much less receiving data regarding such a version of a document. As a further example, claim 29 recites “receiving an allowable document state; and storing the allowable document state.” As discussed with respect to claim 14, however, nowhere does Saylor mention a monitoring device that receives allowable document states. As an additional example, claim 31 recites “providing a visual indication of physical document status.” As discussed with respect to claim 17, however, Saylor does not even come close to suggesting such a monitoring device.

For at least these reasons, and for those given with respect to claim 20, Applicant submits that claims 21 and 25-32 are distinguishable over Saylor. Applicant, therefore, respectfully requests the Examiner to withdraw the § 102 rejection of these claims.

Claim 33 is another independent claim containing limitations analogous to those of claim 1. For at least the reasons given with respect to that claim therefore, Applicant submits that claim 33 also possesses distinguishing limitations over Saylor.

Claims 36-43 depend from claim 33 and, hence, contain all of its limitations, which have already been shown to distinguish over Saylor. Claims 36-43 also contain additional limitations not taught by Saylor. Claim 39, for example, recites “determining whether state data for a non-physical version of a document has been received.” But as discussed with respect to claim 10, nowhere does Saylor teach a non-physical version of a document, much less receiving data regarding such a version of a document. As another example, claim 40 recites “determining

whether an allowable document state has been received; and storing the allowable document state.” As discussed with respect to claim 14, however, nowhere, does Saylor mention a monitoring device that receives allowable document states. As an additional example, claim 42 recites “determining a visual indication of physical document status.” As discussed with respect to claim 17, however, Saylor does not even come close to suggesting such a monitoring device.

For at least these reasons, and for those given with respect to claim 33, Applicant submits that claims 36-43 are distinguishable over Saylor. Applicant therefore respectfully requests the Examiner to withdraw the § 102 rejection of these claims.

Section 103 Rejections

The Examiner rejects claims 2-5, 22-24, and 34-35 under 35 U.S.C. § 103(a) as being unpatentable over Saylor in view of U.S. Patent No. 6,940,092 issued to Yoshida et al. (“Yoshida”). Detailed Action ¶ 4. Applicant respectfully disagrees.

To render a claim obvious under § 103 based on a combination of references, an Examiner must establish a reason that one skilled in the art would combine the references, that there is a reasonable expectation of success in making the combination, and that the combined references teach or suggest all of the claim’s limitations. M.P.E.P. § 2143. Furthermore, the combination cannot alter the principle of operation of a reference. *Id.* Saylor and Yoshida, however, fail to teach or suggest all of the limitations in claims 2-5, 22-24, and 34-35.

Claims 2-5 depend from claim 1 and, hence, contain its limitations, which have already been shown to distinguish over Saylor. Furthermore, as the Examiner finds, Saylor is deficient as to one or more aspects of these claims. Detailed Action ¶ 4. To remedy this, the Examiner attempts to incorporate Yoshida, *Id.*, but attempting to combine Yoshida with Saylor still fails to teach all of the limitations of these claims.

Claim 3, for example, specifies that “the document state comprises the number of document pages.” Yoshida, however, teaches nothing regarding sensing the number of pages of a document. At best, it teaches being able to sense the turning to the first page of an electronic book, col. 15, ll. 35-55, but this does not teach the recited limitation.

As another example, claim 4 specifies that “the sensor comprises the document coupling device.” As the Examiner implicitly recognizes, Yoshida contain no such teaching. Detailed Action ¶ 4. To remedy this, the Examiner turns back to Saylor, Id., but the portion of Saylor on which the Examiner relies only teaches that a user may register various security devices, assign various alarm situations (e.g., fire or intrusion) for each device, and assign notification specifics (e.g., cell phone call) for each device. col.8, l. 35 – col. 9, l. 15. This citation teaches nothing regarding the recited limitation.

As a further example, claim 5 specifies that “the sensor senses the number of pages based on capacitance.” Yoshida, however, contains no such teaching. For example, the portion of Yoshida on which the Examiner relies, Detailed Action ¶ 4, only teaches using a capacitor in power generation. col. 8, ll. 60-68. This does not even have any relevance to the recited limitation.

For at least these reasons, and for those given with respect to claim 1, Applicant submits that claims 2-5 are distinguishable over Saylor and Yoshida. Applicant therefore respectfully requests the Examiner to withdraw the § 103 rejection of these claims.

Claims 22-24 depend from claim 20 and, hence, contain its limitations, which have already been shown to be allowable over Saylor. Furthermore, as the Examiner finds, Saylor is deficient as to one or more aspects of these claims. Detailed Action ¶ 4. To remedy this, the Examiner again attempts to incorporate Yoshida, Id., but attempting to combine Yoshida with Saylor again fails to teach all of the limitations of the claims. Claim 23, for example, specifies that “the document state comprises the number of document pages.” But as discussed with respect to claim 3, Yoshida teaches nothing regarding sensing the number of pages of a document. As another example, claim 24 specifies that “sensing a state of a document comprises sensing an electrical value affected by a dielectric.” But as discussed with respect to claim 5, Yoshida contains no such teaching. For at least these reasons, and for those given with respect to claim 20, Applicant submits that claims 22-24 are distinguishable over Saylor and Yoshida. Applicant therefore respectfully requests the Examiner to withdraw the § 103 rejection of these claims.

Claims 34-35 depend from claim 33 and, hence, contain its limitations, which have already been shown to be allowable over Saylor. Furthermore, as the Examiner finds, Saylor is deficient as to one or more aspects of these claims. Detailed Action ¶ 4. To remedy this, the Examiner again attempts to incorporate Yoshida, *Id.*, but attempting to combine Yoshida with Saylor again fails to teach all of the limitations of the claims. Claim 34, for example, specifies that “the document state comprises the number of document pages.” But as discussed with respect to claim 3, Yoshida teaches nothing regarding sensing the number of pages of a document. As another example, claim 35 specifies that “determining a document state comprises determining an electrical value affected by a dielectric.” But as discussed with respect to claim 5, Yoshida contains no such teaching. For at least these reasons, and for those given with respect to claim 33, Applicant submits that claims 34-35 are distinguishable over Saylor and Yoshida. Applicant therefore respectfully requests the Examiner to withdraw the § 103 rejection of these claims.

Added Claims

Claims 87-89 depend from claims 1, 20, and 33, respectively, and recite additional distinguishing limitations. In particular, these claims specify that the physical document is a paper-based document. As discussed previously, Saylor does not even mention documents. Moreover, Yoshida is not at all concerned with paper-based documents. For at least these reasons, and for the reasons given with respect to each respective independent claim, Applicant submits that these claims are distinguishable over the cited patents.

Conclusion

Applicant submits that a good faith effort has been made to advance the prosecution of this application and that the application is in condition for allowance. If, however, the Examiner thinks that a telephone conference may advance prosecution, Applicant requests that the Examiner contact the below-listed attorney.

Please charge the excess claims fee in the amount of \$150, as well as any other required fees or credits to deposit account 06-1050.

Respectfully submitted,

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/William R. Borchers/

William R. Borchers
Reg. No. 44,549

PTO Customer No. 32864
Fish & Richardson P.C.
1717 Main Street
Suite 5000
Dallas, Texas 75201
Telephone: (214) 747-5070
Facsimile: (214) 747-2091

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